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National institutions for the promotion and protection of human rights

Report of the Secretary-General**

I. Introduction

1. The present report has been prepared pursuant to paragraph 17 of General Assembly resolution 54/176 of 17 December 1999, entitled "National institutions for the promotion and protection of human rights", in which the Assembly requested the Secretary-General to report to it at its fifty-sixth session on the implementation of the resolution.

2. In resolution 54/176, the General Assembly welcomed the growing interest throughout the world in the creation and strengthening of independent and pluralistic national institutions for the protection and promotion of human rights, as encouraged by the Vienna Declaration and Programme of Action and in accordance with the principles relating to the status of national institutions adopted by the General Assembly in resolution 48/134 of 20 December 1993. The General Assembly also welcomed the strengthening of regional cooperation among national human rights institutions.

3. The General Assembly urged the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions. It encouraged the United Nations High Commissioner for Human Rights to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national institutions, and invited Governments to contribute additional, earmarked funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for that purpose.

4. The present report contains information on the various activities undertaken by the Office of the United Nations High Commissioner for Human Rights to establish and strengthen national institutions and on the measures taken by Governments and national human rights institutions in these areas, as well as the work of the treaty monitoring bodies and the special mechanisms of the Commission on Human Rights to undertake further consultations with established national human rights institutions.

5. The report covers activities for the period from 9 September 1999, the date of the report on national institutions for the promotion and protection of human

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** In accordance with General Assembly resolution 55/222, part III, para. 10, this report is being submitted on 1 August 2001, so as to include as much updated information as possible.

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rights submitted to the General Assembly at its fifty-fourth session, to 1 July 2001. It complements the annual reports presented to the Commission on Human Rights during this period pursuant to Commission resolutions 2000/76 of 27 April 2000 and 2001/80 of 25 April 2001. More information on assistance to national human rights institutions can be found in the reports of the Office of the United Nations High Commissioner for Human Rights on the programme of advisory services and technical assistance in the field of human rights, activities of the Voluntary Fund for Technical Assistance in the Field of Human Rights and the activities of the United Nations High Commissioner for Human Rights.

II. The work of the Office of the United Nations High Commissioner for Human Rights and consultations between national human rights institutions and the treaty monitoring bodies and protection mechanisms established by the Commission on Human Rights

6. The United Nations High Commissioner for Human Rights attaches great importance to the role that national institutions play in translating international human rights norms into laws, policies and practices that ensure respect for human rights at the local level. The establishment and strengthening of national institutions is a key objective of the Office of the High Commissioner and a major component of its programme of advisory services and technical assistance in the field of human rights. The High Commissioner, during missions to countries where national human rights institutions exist, regularly holds consultations with their members and senior staff.

7. The activities of the High Commissioner regarding national institutions are provided with the support of the Special Adviser on National Institutions and a small National Institutions Team. Practical advice is given to Governments on an appropriate constitutional or legislative framework for any new national institution and on the nature, functions, powers and responsibilities of such institutions. Support is provided to new and/or established national human rights institutions in the design of effective management structures and strategic plans, complaints handling systems, human rights education and training programmes and their implementation, and the provision of human rights information and documentation. International and regional meetings of national institutions are facilitated to encourage the sharing of experience and development of best practices.

8. The work of the Office of the High Commissioner in the area of national institutions is guided by the principles relating to the status of national institutions (Paris Principles), adopted by the General Assembly in resolution 48/134 of 20 December 1993. The High Commissioner supports programmes designed to strengthen and support a number of existing institutions which do not fully comply with these principles, but are willing to strengthen their independence and effectiveness.

A. Advice for the establishment of national institutions

9. During the past two years, the Office of the High Commissioner provided information, advice or assistance at the request of Governments or entities in the process of establishing, or considering establishment of national human rights institutions in Azerbaijan, Bangladesh, Burundi, Cambodia, Côte d'Ivoire, East Timor, the Federal Republic of Yugoslavia, Fiji, Germany, Ireland, Kazakhstan, Kenya, Kyrgyzstan, Malaysia, Mauritius, Mongolia, Nepal, Nigeria, Palestine, the Republic of Korea, the Republic of Moldova, Rwanda, Sierra Leone, Thailand and the United Kingdom of Great Britain and Northern Ireland.

10. The Office has also provided information, advice or material support to a number of established national human rights institutions, including the Australian Human Rights and Equal Opportunity Commission, the Canadian Human Rights Commission, the Defensor del Pueblo of Ecuador, the Public Defender of Georgia, the Latvian Human Rights Office, the Human Rights Commission of Indonesia, the Human Rights Commission of Malawi, the Mexican Human Rights Commission, the Moldovan Human Rights Centre, the New Zealand Human Rights Commission, the Nigerian Human Rights Commission, the Human Rights Commission of Rwanda, the South African Human

Rights Commission and the Ugandan Human Rights Commission.

11. During the reporting period, the Special Adviser and National Institutions Team conducted several missions relating to high-level meetings, seminars and workshops, to provide advice or assistance to Governments; consultations with government officials, parliamentarians, established national institutions, non-governmental organizations and representatives from the academic sector; technical cooperation needs-assessment and project-formulation missions; technical cooperation project steering committee meetings; joint activities with organizations, such as the Commonwealth, the Council of Europe and the Organization for Security and Cooperation in Europe and other United Nations agencies and programmes; countries in the process of establishing national human rights institutions; and to the provision of training to staff of national human rights institutions and senior staff of other United Nations agencies and programmes. These included missions to Australia, Cambodia, Canada, Ecuador, the Federal Republic of Yugoslavia, France, Georgia, Germany, Indonesia, Ireland, Kenya, Kosovo, Jordan, Latvia, Malaysia, Mexico, Mongolia, Morocco, Nepal, New Zealand, Nigeria, the Philippines, the Republic of Moldova, Rwanda, Sierra Leone, Sweden, Thailand, Togo, Uganda, Ukraine and the United Kingdom of Great Britain and Northern Ireland.

12. In addition, the Office of the High Commissioner responded to numerous requests from Governments and non-governmental organizations seeking general information concerning national human rights institutions. The rapidly increasing number of national human rights institutions received periodic information on human rights meetings and the activities of the Office, updated lists of United Nations publications and material relating to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

B. Technical cooperation for the establishment and strengthening of national institutions, including through field presences and the programme of advisory services and technical assistance in the field of human rights of the Office of the High Commissioner for Human Rights

13. Technical assistance for the establishment and strengthening of national institutions is financed through extrabudgetary resources contributed to the Voluntary Fund for Technical Cooperation in the Field of Human Rights. In countries where the Office has a field presence, advice and assistance is also provided through the field offices.

14. To further strengthen the overall technical cooperation programme on national human rights institutions, the Office of the High Commissioner continues to expand its roster of consultants and experts and practitioners on national human rights institutions, compile legislation of national human rights institutions established in accordance with the Paris Principles and compile best practices of national human rights institutions' work on thematic issues such as racism and the protection and promotion of children's and women's rights. The Office is in the process of finalizing a handbook for national institutions practitioners relating to economic, social and cultural rights.

Activities and programmes of the Office of the High Commissioner in Africa

15. The Office of the High Commissioner received an increasing number of requests for advice and assistance, particularly from Africa. Requests for legal advice and/or assistance currently under consideration or in the process of formalization and which may involve assistance to national institutions include those from Cameroon, Côte d'Ivoire, Guinea-Bissau, Kenya, Liberia, Malawi, Morocco, Niger, Nigeria, Rwanda and Togo.

16. The Office of the High Commissioner is completing an initial technical cooperation project with the recently established Rwanda Human Rights Commission. This cooperation is consistent with that called for in Commission on Human Rights resolution 1998/69. With a view to institutional strengthening,

advice of a national institutions expert was provided as part of a joint Office of the High Commissioner/United Nations Development Programme (UNDP) initiative. In addition three experts on documentation centres; automation technology; and human rights education, respectively, conducted missions to the country. Pursuant to Commission on Human Rights resolution 2001/23, a new project is being developed to further strengthen the Commission's institutional capacity and to assist the Commission in its promotion and protection activities.

17. The Office is in the process of completing an initiative with the Uganda Human Rights Commission in cooperation with UNDP. Through the project, the Commission has developed a detailed programme of work, which includes dealing with complaints of human rights violations, reviewing legislation to ensure conformity with international treaty obligations, assisting the Government in discharging its reporting obligations under international human rights treaties to which Uganda is a party, providing human rights education and training to the general public as well as specialized professional groups, and the establishment of an information and documentation centre. Most recently the Commission has launched its strategic plan, which gives a long-term vision of the Commission's objectives and priorities. Given the Commission's growing strength, the Office of the High Commissioner relies on its staff for regional training and has arranged the Commission's participation in various regional and international forums.

18. The project entitled "Consolidation of the democratic process", which began in 1996, has a component to strengthen the Malawi Human Rights Commission. Over the past two years, the Office of the High Commissioner has supported a workshop on the effective functioning of national institutions for new members; human rights training; fellowship and training for staff and a member of the Commission to the South African Human Rights Commission; training related to investigation techniques and reporting; and participation in various regional and international meetings. The latter training, undertaken by a national institutions practitioner, permitted a cross-fertilization of ideas, as the expert is providing advice to the Government and non-governmental organizations of Sierra Leone regarding the establishment of a national human rights institution in that country. It is envisaged that further support to the institution is required. The nature and modalities of future cooperation will need to be carefully considered.

19. In Nigeria, the Special Adviser has provided advice to members and staff of the National Human Rights Commission. In response to a request from the Government, a needs-assessment mission was conducted in February 2001 to determine how the Office of the High Commissioner can most effectively contribute to strengthening the Commission. The mission concluded that the Commission should be supported as an important institution to promote and protect human rights in a climate of improving "democratization". A project formulation mission is being planned.

20. In Chad, the "Transitional project to strengthen human rights and governance" began in April 2000. An element of the project is to strengthen the capacities of the National Human Rights Commission. A Regional Adviser to the Office of the High Commissioner based in Yaoundé will assist in this task.

21. In Gabon, the project entitled "Development of national capacities for the protection and promotion of human rights" is under way. One of its objectives is to support the Government in establishing a National Commission on Human Rights by offering training courses, providing advisory services, acquiring equipment, office supplies and publications, and providing study fellowships for members of the Commission. To date, the National Commission has been provided with office equipment and supplies. The Office of the High Commissioner will continue to encourage the Government to ensure that the Commission becomes independent, in accordance with relevant United Nations standards.

22. During 2000, the technical cooperation project for Madagascar focused on training for members of the National Human Rights Commission; training for human rights non-governmental organizations; training of human rights education personnel; and support for the Commission and Ministry of Justice. Three fellowships were awarded for advanced training on the management and operation of the Commission. The project is implemented by a national project manager who works in cooperation with UNDP, the Government and the Commission.

23. The 1999 Lomé Peace Agreement called for the establishment of a Human Rights Commission in Sierra Leone, and stated that "technical and material

assistance may be sought from the Office of the United Nations High Commissioner for Human Rights" (article XXV). The Commission on Human Rights, in resolution 2000/24, welcomed the steps taken by the Government and civil society to establish a national commission. The Special Adviser on National Institutions has conducted two missions to Sierra Leone to discuss modalities for the creation of the institution and has provided detailed advice on legislation to establish the Commission. A workshop on the establishment of the Sierra Leone Human Rights Commission, organized by the United Nations Mission in Sierra Leone (UNAMSIL) Human Rights Section and the National Forum for Human Rights, with assistance from the Office of the High Commissioner, was held on 15 and 16 December 2000. Attended by participants representing all sectors and regions in Sierra Leone, as well as the chairpersons of the Human Rights Commissions of Ghana and Uganda, the workshop was opened by the Minister of Presidential Affairs, who reiterated the Government's commitment to establishing the Commission. The Attorney General introduced the draft founding legislation. UNAMSIL and the Office of the High Commissioner will continue to work with the Government and civil society to establish an independent and credible Human Rights Commission in Sierra Leone and will consider technical cooperation once legislation establishing the Commission has been enacted.

24. In February 2001, the Office of the High Commissioner completed a technical cooperation project with the Government of South Africa, including the South African Human Rights Commission as a co-partner. As part of the human rights institutional strengthening element of the project, a project manager was based with the South African Human Rights Commission to assist the Commission in carrying out its mandate. In particular, the project manager worked closely with the Commission in the reporting and monitoring of the Government's implementation of socio-economic rights and developing a national action plan for the promotion and protection of human rights. In 2000, support was provided to formulate a complaints procedures policy regarding reporting requirements.

25. In 1998, the Office of the High Commissioner, in collaboration with UNDP, established a Regional Human Rights Office with a mandate to mainstream human rights in the United Nations system in southern Africa, and to strengthen United Nations capacity in its response to Government requests for assistance. The Regional Office covers 15 members of the southern Africa region, and has been cooperating with national institutions in the region (including through a possible meeting of Southern African Development Community national institutions). The Office is presently assessing the possibility of establishing a training programming concerning economic, social and cultural rights for national institutions of the region.

26. The recently established United Nations Subregional Centre for Human Rights and Democracy in Yaoundé has as part of its responsibilities the institutional strengthening of national institutions within the Central African region. Countries which will benefit from this project include Angola, Burundi, Cameroon, the Central African Republic, Chad, Congo, the Democratic Republic of the Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe.

Activities and programmes of the Office of the High Commissioner for Human Rights in the Asia Pacific region

27. For several years, the Office of the High Commissioner has been assisting in the establishment and strengthening of national human rights institutions in the Asia Pacific region. Activities have included advice on legislation and other matters relating to the creation of new institutions as well as training and technical support to existing institutions. The Office works closely with the Asia Pacific Forum of National Human Rights Institutions, established in 1996.

28. During the reporting period, the region has seen an important growth in the number of national human rights institutions, including those established in Fiji, Malaysia, Mongolia, Nepal and Thailand (two of the 11 Commissioners remain to be appointed). These and already established institutions have requested the Office of the High Commissioner for advice and assistance, either directly or through the Asia Pacific Forum.

29. Since 1997, the field office in Gaza has worked with the Palestinian Independent Commission for Citizens' Rights. The Office has continued to provide assistance to the Commission by way of direct institutional strengthening, support for its field workers programme, law reform and other technical support for training and human rights promotion activities. The

law reform programme has supported the work of the Commission to comment on priority legislation and the promotion of a consultative approach to law reform in Palestine. The field workers programme, which has posted three field workers in the West Bank and one in Gaza, has permitted the Commission to raise awareness on human rights in each region of the country and to monitor violations and collect complaints of alleged violations at the local level. The Office of the High Commissioner has also provided two grants to the Commission to build up its collection of human rights documentation and legal materials. In June 2000, the Office held two one-week courses at the Commission's office in Gaza for prison guards. The Director of the Commission's Gaza office and a lawyer working at the Commission conducted several sessions during the training course.

30. Following several visits by the Special Adviser, the Government of Nepal established a National Human Rights Commission in May 2000. In August 2000, at the Fifth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions, the Nepal Commission was accepted as a member of the Forum. The Office of the High Commissioner and UNDP, working with the Commission, have developed a multi-year, multi-donor initiative providing support to the Commission in its institutional strengthening and capacity-building.

31. The Special Adviser to the High Commissioner on National Institutions has conducted several missions to Malaysia to assist in the establishment of the Malaysian Human Rights Commission. The Commission, established in April 2000, has been assisted by the Office of the High Commissioner to participate in several regional and international meetings.

32. In January 2000, following detailed advice on legislation from the Special Adviser on National Institutions, Mongolia established a National Human Rights Commission. The Office of the High Commissioner, UNDP and the Asia Pacific Forum of National Human Rights Institutions have been working to develop a broad-based technical cooperation project to assist the new Commission.

33. The Fiji Human Rights Commission, established in 1993, has played an important role in dealing with recent events in that country. The Commission's experience is drawn upon in relation to the overall work of the Office of the High Commissioner on National Institutions. The Office is in regular contact with the Commission to ensure that it receives support as a critical institution within Fiji's society.

Activities and programmes of the Office of the United Nations High Commissioner for Human Rights in Europe, Central Asia and North America

34. The Office has increased its efforts to work with regional organizations in Europe, such as the Council of Europe and the Organization for Security and Cooperation in Europe. Several technical cooperation projects are providing assistance to established national institutions in Georgia, Latvia and the Republic of Moldova. Requests for assistance currently under consideration and/or in the process of formalization, which may relate to assistance for national human rights institutions, include those from Kosovo and Ukraine. Advice has been provided to Governments establishing institutions in Germany, the Republic of Ireland, the United Kingdom of Great Britain and Northern Ireland (regarding both Scotland and Northern Ireland) as well as to established institutions, such as in Slovakia.

35. The Office of the High Commissioner, following completion of its joint project with UNDP in Latvia, has continued to work towards establishing an effective national human rights institution in Latvia and in 2001, the Office contributed to a multi-agency mission to Latvia in this regard.

36. Assistance continued to be provided to the Centre for Human Rights of Moldova through a technical cooperation project which is in its final year. Assistance has related to the handling of complaints, treaty body reporting, public education strategies and general human rights issues.

37. The Office continues to provide advice to the Public Defender's Office of Georgia through a joint project with UNDP and several bilateral donors. The Special Adviser is in regular contact with the Chief Technical Adviser to the project and has met with non-governmental organizations concerning the Public Defender and her role vis-à-vis civil society.

38. The project with Azerbaijan, entitled Strengthening capacities and infrastructures for the promotion and protection of human rights, concluded in 2001. The Office of the High Commissioner worked

with partner agencies, such as the Council of Europe, concerning the establishment of a national human rights institution. In November 1999, the Office of the High Commissioner participated in a round table concerning the establishment of a national human rights institution.

39. At the request of the Government of Romania and UNDP, the Office of the High Commissioner provided assistance in the development of a project for support to Romania's Public Defender. The project focuses on development of the corporate management, administration and management capacity of the institution; development of a monitoring and complaints handling system; adaptation of national legislation to international standards; human rights policy development; the development of a national human rights plan of action; and education and public information.

40. On 30 June 2000, the Special Representative of the Secretary-General in Kosovo promulgated regulation No. 2000/38, on the establishment of the Ombudsperson[1] institution in Kosovo. This was undertaken pursuant to United Nations Security Council resolution 1244 (1999) of 10 June 1999, which stemmed from the Rambouillet Accord of 23 February 1999 (Interim Agreement for Peace and Self-Government in Kosovo), chapter 6 of which was devoted to the issue of establishing an Ombudsperson institution. On 11 July 2000, an Ombudsperson was appointed for a two-year period. The Ombudsperson requested the assistance of the Office of the High Commissioner and in May 2001, the Office fielded a needs-assessment mission to Kosovo. Discussions are proceeding concerning possible technical cooperation with the institution.

41. In May 2001, the Office of the High Commissioner's Field Office in the Federal Republic of Yugoslavia and the National Institutions Team, held a round table with government agencies, non-governmental organizations and international partners concerning the possible establishment of a national human rights institution within the Federal Republic of Yugoslavia. Consultations were also held with United Nations Member States, as well as with officials at the Republic of Serbia level. The Office continues to liaise with the Federal Ministry of Justice concerning the establishment of a national institution that conforms with United Nations standards.

Activities and programmes of the Office of the United Nations High Commissioner for Human Rights in Latin America and the Caribbean

42. The Office of the High Commissioner is currently implementing several technical cooperation projects that include assistance to established national human rights institutions, such as those in Colombia, Ecuador, El Salvador, Guatemala and Nicaragua. The Office has also developed an initiative for the Andean region. Government requests under consideration that may include assistance to national human rights institutions are from Argentina, Mexico and Peru.

43. The successful visits of the High Commissioner to Mexico in December 1999 and November and December 2000 resulted in the signing of a technical cooperation agreement with the Government of that country. Under the agreement, the development of a technical cooperation project with the Mexican Human Rights Commission was envisaged. A project-formulation mission was undertaken by the Special Adviser and a member of the National Institutions Team in May and June 2001. A project is being developed in cooperation with the Commission to strengthen its institutional capacity and relationships with state commissions and non-governmental organizations. The Office has also worked closely with the Commission in its capacity as acting secretariat of the newly established Network of National Institutions of the Americas (including the Caribbean).

44. The Network of National Human Rights Institutions of the Americas was established in Mexico City in November 2000 during the second Regional Meeting of National Institutions of the Americas. Signatories to the Network included the institutions of Argentina, Bolivia, Canada, Ecuador, Honduras, Mexico and Peru. The principal objectives of the Network are to expand mutual support, cooperation and joint activities, including through information exchanges, training and development, undertaking joint projects, sharing expertise, periodical regional meetings and seminars, and mutually assisting each other with respect to requests from other national institutions regarding human rights violations. The Office of the High Commissioner will continue to support the development of this important regional association.

45. Since its establishment in 1997, the field office in Colombia has been working closely with the Office of

the People's Advocate of Colombia. During the reporting period, several joint visits to the field to investigate alleged human rights violations or monitor the plight of displaced persons were conducted. The Office of the High Commissioner has also been actively participating in a working group coordinated by the Office of the People's Advocate to investigate and prevent massacres, as well as to alert the public security authorities. The Office of the High Commissioner is undertaking specific initiatives to strengthen the office of the People's Advocate.

46. In El Salvador, the Office of the High Commissioner has held several discussions concerning the inclusion of the Public Advocate in a technical cooperation project. However, this is pending until an Advocate has been appointed. One element of the proposed project is the development of a national human rights action plan in which the Advocate would be a key partner.

47. In its previous project relating to Guatemala the *Procurador* (Human Rights Council) was involved in the various project components. The present initiative will focus on strengthening the recently established Women's Public Advocate. Various institutional strengthening and capacity-building initiatives are foreseen.

48. In October 1998, the High Commissioner for Human Rights signed a memorandum of understanding with the Andean Commission of Jurists to facilitate assistance to Member States of the subregion, including in the area of national human rights institutions. Implementation of this memorandum has led to the signing of a technical cooperation project for the Andean region with the Andean Commission of Jurists. A component of the project relates to the strengthening of the national institutions of the region and the provision of advice to those countries within the region which do not yet have a national human rights institution. The coordinator appointed for the work relating to national human rights institutions is the former Ombudsperson of Peru.

C. Assistance provided by the Office of the United Nations High Commissioner for Human Rights to international and regional meetings of national institutions

49. In the Asia Pacific region, several initiatives to support established national institutions, with participation by civil society, have been implemented by the Office of the High Commissioner. These initiatives include: a seminar on the role of national human rights institutions in the protection and promotion of the human rights of children (the Philippines, November 1999); a workshop on the role of national human rights institutions in the protection and promotion of the human rights of women (Fiji, May 2000); the second Regional National Institutions Workshop on Economic, Social and Cultural Rights undertaken in cooperation with the Human Rights Commission of the Philippines and the Canadian Human Rights Foundation (the Philippines, November 2000); and support to the Annual Meetings of the Asia Pacific Forum of National Human Rights Institutions (the Philippines, November 1999 and New Zealand, August 2000).

50. The third Regional Conference of African Institutions for the Promotion and Protection of Human Rights was held from 14 to 16 March 2001 in Lomé. Participants discussed independence, pluralism and the effectiveness of national institutions; the fight against child exploitation and trafficking; reinforcing cooperation between national institutions, the Office of the High Commissioner and non-governmental organizations; human rights, development and HIV/AIDS; and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

51. At the European regional level, the Office of the High Commissioner participated in the First Council of Europe Round Table with national human rights institutions and the Third European Meeting of national institutions, both held in March 2000 in Strasbourg, France. The Office also participated in the UNDP-sponsored Fifth International Workshop of Ombudsperson and Human Rights Institutions held in Almaty in November 1999. National institutions focused on their role in preventing ethnic conflict and guaranteeing minority rights, the relationship with

external parties including media, civil society and government, and improving their effectiveness.

52. Two major meetings of national institutions were held in Latin America: from 19 to 21 November 2000, in Mexico City, the second Regional Meeting of National Human Rights Institutions of the Americas discussed the establishment of a regional network of national institutions and indigenous rights in preparation for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The fifth Annual Meeting of the Ibero-American Ombudspersons held in Mexico City from 21 to 24 November 2000 covered the themes of the integration of national institutions into the international human rights system; preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, particularly concerning migrants, refugees and displaced persons, and establishment of the International Criminal Court.

D. Consultations with national human rights institutions by treaty monitoring bodies and protection mechanisms established by the Commission on Human Rights

53. Treaty monitoring bodies regularly request States parties to provide information relating to the establishment of a national human rights institution in their country. The secretariats to the treaty monitoring bodies also regularly consult the Special Adviser and the National Institutions Team about the work of particular national institutions on specific areas. The Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child have been particularly active in this regard.

54. Representatives of the treaty bodies have been speakers in national institutions' initiatives relating, inter alia, to women's rights, children's rights, and economic, social and cultural rights. Members of the treaty bodies, such as the Committee on the Elimination of Racial Discrimination, have participated in training events relating, for example, to treaty body reporting. At the thirteenth Annual Meeting of Chairpersons held in June 2001, the Office of the High Commissioner presented a discussion paper to the Chairpersons regarding substantive ways in which the Office of the High Commissioner, national human rights institutions and the treaty body mechanisms could improve their cooperation. This included using the information which national institutions possess to get a better understanding of specific human rights issues facing a country, treaty body reporting and monitoring actions taken by States parties regarding conclusions of the treaty bodies.

55. Consultations with established national human rights institutions is normal practice for almost all established working groups, special rapporteurs and independent experts of the Commission on Human Rights. This includes the Working Group on Enforced or Involuntary Disappearances, the Working Group on Arbitrary Detention and thematic and country rapporteurs and independent experts who, during their missions to countries where such institutions have been established, conduct consultations with them. In addition, the Office of the High Commissioner has included a number of special rapporteurs in its activities relating to national institutions. More information on these consultations can be found in the annual reports of the rapporteurs to the Commission on Human Rights and the General Assembly.

E. Activities of the Office of the United Nations High Commissioner for Human Rights in preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

56. National institutions have undertaken a number of national activities in preparation for the World Conference, including participating in regional preparatory meetings and expert seminars. Through support provided by the Office of the High Commissioner by way of grants from the Rockefeller and Carnegie Foundations, some 17 national institutions have received funding to undertake educational and promotional activities at the national level. The European Union has also provided funding to permit the participation of up to 36 national institutions in the Conference itself. As observers to the Conference, it is expected that national institutions will participate as actively as possible in the government Conference, as well as in various parallel events. Planning is under way for a national institution pre-World Conference meeting, where national institutions

may develop an overall position paper on substantive issues which the Conference will consider.

F. Cooperation between the Office of the United Nations High Commissioner for Human Rights, other United Nations agencies and programmes and international and regional organizations

57. Within the framework of the memorandum of understanding between the Office of the High Commissioner and UNDP, concluded in 1998, many activities and programmes for the establishment or strengthening of national institutions have been conducted in close cooperation. The Office of the High Commissioner continues to implement jointly with UNDP the project on human rights strengthening, which includes national institutions.

58. The Office of the High Commissioner has also been working closely with several other United Nations agencies and programmes, including the United Nations Volunteers, within the framework of a memorandum signed with that Office. In addition, the Office of the High Commissioner has cooperated in a number of initiatives with the Council of Europe, and the Organization for Security and Cooperation in Europe. Cooperation with the Commonwealth increased substantially following the holding of a July 2000 workshop on national institutions of the Commonwealth. Through its various bilateral initiatives, there has been a more effective realization of the cooperation called for between the Inter-American Institute of Human Rights and the Office of the High Commissioner. The Special Adviser attended the seventh annual Congress of the International Ombudsperson Institute held in Durban, South Africa, from 30 October to 2 November 2000, where the participating Ombudspersons and national institutions agreed that living in a society that pursues good governance practices is a basic human right.

III. Participation of national human rights institutions in meetings of the Commission on Human Rights

59. An increasing number of national institutions take the opportunity of addressing the Commission on Human Rights in its annual sessions. At its fifty-sixth and fifty-seventh sessions, the Commission in its resolutions 2000/76 and 2001/80 reinforced the important work of national institutions in the promotion and protection of human rights. Equally, they underlined the continuing need for the Office of the High Commissioner to take a lead role in ensuring that assistance to these institutions is provided.

60. Taking note of the express wish of national human rights institutions to have access to the Commission, the Chairs of the Commission at the fifty-sixth and fifty-seventh sessions continued to provide a specific area of seating for national institutions to address the Commission. Name badges identifying national institutions were issued and, at the fifty-seventh session, the representatives of national institutions were able to have their statements circulated to the member States of the Commission within the conference room.

IV. International Coordinating Committee of national institutions

61. As endorsed by the Commission on Human Rights in resolution 1994/54, the International Coordinating Committee continues to hold its annual meetings in conjunction with the annual session of the Commission on Human Rights. The Coordinating Committee held its eighth and ninth sessions at the United Nations Office at Geneva from 17 to 19 March 2000 and from 18 to 20 April 2001, respectively. The High Commissioner for Human Rights encouraged representatives of national institutions to increase their cooperation, in particular at the regional level, stressing the need for national institutions to meet United Nations standards concerning such institutions.

62. From 13 to 15 April 2000, national institutions met in Rabat for the International Coordinating Committee's Fifth International Workshop of National Human Rights Institutions. The Rabat Declaration highlighted the important role that national institutions must play in the fight against all forms of

discrimination, and in particular against racism; called upon national institutions to continue their activities to promote and protect women's and children's rights; noted that the fight against poverty and the effective enjoyment of economic, social and cultural rights by all persons constitute priorities for action by national institutions; encouraged all States to ratify all treaties relating to human rights and to ensure that the Statute of the International Criminal Court soon enters into force; and urged that resources available to the High Commissioner be increased so that support can be strengthened, in particular, for regional and international meetings of national institutions and to assist their cooperation efforts.

63. The National Institutions Team of the Office of the High Commissioner acts as the secretariat of the Coordinating Committee. This is a role demanding greater time as the Committee's procedures become formalized and activities increase. In April 2000, the Coordinating Committee adopted its internal rules of procedure. Its Credentials Committee continued to examine documents submitted by a number of national institutions resulting in the accreditation of 42 national institutions, some with reservations (the eighth and ninth reports of the Coordinating Committee are available on request in the Office of the High Commissioner).

V. Conclusions and recommendations

64. The work of the Office of the United Nations High Commissioner for Human Rights in the area of national institutions continues to increase, although the level of human resources allocated to this work remains static. The staff of the Office of the High Commissioner dedicated to national institutions work remains funded out of voluntary project-based funds. As per the respective Commission on Human Rights resolutions, Member States of the United Nations are encouraged to continue supporting the efforts of the Office in this area and to provide additional financial resources as part of their contributions to the programme of advisory services and technical assistance in the field of human rights.

65. The holding of regional and international meetings of national institutions to promote the exchange of information and experience concerning the establishment and effective operation of such institutions has proved an effective mechanism for the strengthening of those institutions. Nevertheless, Governments and the partners of the Office of the High Commissioner must ensure that United Nations standards concerning national institutions are respected.

Notes

[1] In the regulation, the term Ombudsperson is used.